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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Srihari Kumar

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09/16/2010

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EXAMINER

GREENE, DANIEL LAWSON

ART UNIT

PAPER NUMBER

3694

NOTIFICATION DATE

DELIVERY MODE

09/16/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 09/785,929	<b>Applicant(s)</b> KUMAR ET AL.	
	<b>Examiner</b> DANIEL L. GREENE JR.	<b>Art Unit</b> 3694	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 13 and 15-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13 and 15-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Applicant's 7/27/2010 response to the 4/28/2010 Office action has been considered and entered. Claims 13 and 15-23 are pending and an action on their merits follows.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/27/2010 has been entered.

#### ***Response to Arguments***

3. Applicant's amendments to the claims and arguments in support thereof are persuasive. Therefore, the rejections set forth in sections 5 and 6 of said 4/28/2010 Office action are withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of U.S. Patent 6,317,783 to Freishtat et al. as set forth below.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

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**5. Claims 13 and 15-23 are rejected under 35 U.S.C. 102(a) as being anticipated by U.S. Patent 6,317,783 to Freishtat et al. ('783)**

**Regarding claim 13**, '783 discloses in, for example, Figure 2, the abstract, Col. 4, lines 22-60, etc. a computerized server (290) connected to the Internet (230) executing software providing an interactive bill-payment service, comprising:

an Internet-connected computerized appliance (220) providing access to Internet sites for a user;

a first Internet site hosted by the server (Col. 9 lines 15-17 "utilizing a Web site as an intermediary" accessible by the computerized appliance comprising a first instance of the software providing an interactive interface enabling the user to select, view and pay itemized bills accessed from billing sources having Internet sites (250) other than the first Internet site; and

a second Internet site hosted by a second computerized server (340) operating a second instance of the software, accessible to the first Internet site, the second instance of software automatically navigating to the billing sources (Col. 9, lines 29-47 "...340 is responsible for accessing and storing user PI and executing transactions authorized by the end user..."(Emphasis added)), by proxy, on the Internet subscribed to by the user, logging in to the user's billing sources as if the user collecting itemized bills and bill-related data for the user (Col. 9, lines 59+ "A simulated web client could perform access or transaction processes automatically supplying access and verification data as necessary", and providing the itemized bills and bill-related data to the first Internet site

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(Col. 10, lines 32+ "In order to provide personal information to an end-user quickly...component 340...updates...intermediary website..."

See also Col. 3 lines 4-19 reproduced immediately below;

#### SUMMARY OF THE INVENTION

In the present invention, a networked computer is used to facilitate end user access of, manipulation of and transactions involving electronic PI associated with the particular end user such as stock portfolio, local weather, sports scores, bank account balances or other pertinent information or data. According to the present invention, the PI relevant to the particular end user is aggregated on the networked computer. This information or data is delivered to the end user in a unified manner by a variety of selectable delivery platforms such as facsimile, client computer, telephone, conventional mail, electronic mail, pager, other wireless device, Web page or channel or other delivery vehicle. The present invention further facilitates a variety of electronic transactions involving PI such as stock trading, retail purchases, bill payment, bank account fund transfers or other transactions.

**Regarding claim 15** and the limitation wherein the first Internet site is a portal server providing a personalized interface for the user in hypertext markup language see, for example, Col. 12 lines 12-28 reproduced immediately below.

In the case of an intermediary Web site, the PI is delivered in a format configurable by the intermediary Web site. FIG. 5 pictorial illustrates a possible embodiment of the current invention utilizing an intermediary Web site. An end user 210 utilizes a client computer 220 to access an intermediary Web site 510 across the Internet 230. The end user 210 logs into the intermediary Web site 510. The intermediary Web site 510 contacts the PI engine 240 across the Internet 230 and directly receives the end user's PI updated as required from the PI provider Web sites 250. The intermediary Web site 510 receives the PI, incorporates it into pages according to its particular formatting style and graphical user interface and delivers these pages to the end user 210. The use of the PI engine 240 is transparent to the end user 210. Further, an intermediary Web site 510 serving aggregate PI to an end user 210 may, and most likely will, simultaneously serve as a PI provider.

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**Regarding claim 16** and the limitation wherein the billing sources are subscribed to by the user requiring the second software at the second Internet site to enter a username and password on behalf of the user, authorized by the user, for access to user bill information see for example, Col. 4 lines 22-27 reproduced immediately below.

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The present invention alleviates several of the problems with the current PI acquisition methods by automatically aggregating PI, not only generic PI as aggregated by portals  
25 but also PI specific to the end user requiring identity verification for access. In one embodiment, the invention automates the PI acquisition and delivery process. FIG. 2

**Regarding claim 17** and the limitation wherein the Internet-connected computerized appliance is a personal computer with accessibility to the Internet see, for example Figure 2, item 220 and descriptive text.

**Regarding claim 18** and the limitation wherein the Internet-connected computerized appliance is a cellular telephone with accessibility to the Internet see, for example, Col. 3 lines 4-19, specifically lines 11-15 "...telephone...other wireless device...or other delivery vehicle".

**Regarding claim 19** and the limitation wherein the Internet-connected computerized appliance is a hand-held computer with accessibility to the Internet see, for example, Col. 3 lines 4-19, specifically lines 11-15 "client computer...other wireless device...or other delivery vehicle", Col. 9, lines 5-20 "...Palm Pilot..." etc.,.

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**Regarding claim 20** and the limitation wherein the second Internet site stores aggregated bill data (See for example, Figure 3, item (280) and related descriptive text) on behalf of the user in a connected data repository (See for example, Figure 3, item (375) and related descriptive text) remote from the second server node.

**Regarding claim 21** and the limitation wherein the interactive software interface at the first Internet site is linked to a plurality of secondary interfaces provided in the form of hypertext markup language, see for example, Col. 7, lines 18-55, etc.

**Regarding claim 22** and the limitation wherein management of the listed bills include at least viewing a complete representation of the bill (See, for example, the abstract, Col. 16 lines 1-24, etc.),

marking that the bill has been paid (See, for example, Col. 16 lines 31-33, etc.),

deleting the bill (See, for example, Col. 5, lines 44-55, specifically "...replacing outdated PI...stored on the client computer..."), and

receiving an alert associated with the bill (See, for example, Col. 16 lines 11-24, "email notification").

**Regarding claim 23** and the limitation wherein selected management of the bill includes recommendations from the system service see, for example, Col. 16, lines 11-24 especially lines 16-18 reproduced immediately below.

actions. If there is a billing due date for a certain information provider, PI Engine **240** could flag that information and send email to the end user **210** notifying him/her of the bill due.

wherein it is understood that the recommendation is the notification to pay the bill before the due date.

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL L. GREENE JR. whose telephone number is (571)272-6876. The examiner can normally be reached on Mon-Thur.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. L. G./  
Examiner, Art Unit 3694  
20010911

/Ella Colbert/  
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